

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE

MARK AUSTIN ROSETTA,

Debtor,

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CASE NO. 24-30092

**WOODLAKE FOREST II HOMEOWNERS ASSOCIATION’S
WITNESS LIST FOR HEARING ON MOTION TO DISMISS**

Woodlake Forest II Homeowners Association, Inc., (hereinafter the “Movant”) files Movant’s Witness List for the June 5, 2024, hearing on Movant’s Motion to Dismiss Bankruptcy.

I. WITNESS LIST

1. Everett Alinger.

Mr. Alinger is a longstanding member of Movant’s architectural review authority. Mr. Alinger is also the owner and occupant of a townhome on sharing a common slab with the real property at 9374 Briar Forest Drive, Houston, Texas 77063 (hereinafter the “Property”), which is owned by Debtor Mark Austin Rosetta (hereinafter “Rosetta”).

Movant anticipates Mr. Alinger will testify as to matters within Mr. Alinger’s personal knowledge and experience, including Movant’s restrictive covenants, as to Hurricane Harvey and its consequences for Woodlake Forest II subdivision (hereinafter the “Subdivision”); the conditions (past and present) at the “Property”; inspections of the Property; and as to the Movant’s efforts to compel Rosetta to repair and maintain the Property (including the state court lawsuit).

2. Carlos Guedez.

Mr. Guedez is a member of Woodlake Forest II Homeowners Association, Inc., subdivision and the owner and occupant of the townhome neighboring (and sharing a Party Wall and common slab with) the Property. Mr. Guedez is also the assignor

of the Agreed Judgment and Restraining Order at issue in Movant's state court action against Rosetta.

Movant anticipates Mr. Guedeze will testify as to matters within Mr. Guedeze's personal knowledge and experience, including Hurricane Harvey and its consequences for the Subdivision and for Mr. Guedeze's own real property; the conditions (past and present) at the Property; and Mr. Guedeze's lawsuit against Rosetta.

3. Mark Austin Rosetta.

Mark Austin Rosetta is the Debtor in the instant bankruptcy and the alleged owner of the Property.

Movant anticipates Mr. Rosetta will testify as to his statements during Creditors' Meetings, his bankruptcy pleadings and schedules, conditions on the Property, his efforts to repair and maintain the Property, and, the state court action regarding the Property.

4. Jane Rashad.

Jane Rashad is the Debtor's mother and the original owner of the Property.

Movant anticipates Ms. Rashad will testify as to the circumstances of the Property's transfer from Ms. Rashad to Debtor, Debtor's financial circumstances (income and expenses), and Debtor's residence history.

5. Allison Byman.

Allison Byman is the Chapter 7 Trustee.

Movant anticipates Ms. Byman will testify as to Debtor's assets and liabilities, including (but not limited to) Debtor's out-of-state assets and liabilities. Movant anticipates Ms. Byman will testify as to information provided by Debtor to Ms. Byman but not included in Debtor's bankruptcy schedules and pleadings.

Respectfully Submitted,

HOLTTOLLETT, P.C.



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CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing was served on the following parties by electronic service via the Court's ECF filing system if registered, and otherwise by certified mail and by first class mail, this 31st day of May, 2024.

Debtor:

Mark Austin Rosetta, Debtor
9374 Briar Forest Drive
Houston, Texas 77063; *and*,

Mark Austin Rosetta
12976 Westheimer Road, Apartment 1410
Houston, Texas 77077; *and*,

marked@gmail.com.

Trustee:

Allison D Byman, Chapter 7 Trustee
Byman & Associates PLLC
7924 Broadway
Suite 104
Pearland, Texas 77581

Examiner:

[NONE APPOINTED]

Twenty (20) Largest Unsecured Creditors:

CA Franchise Tax Board
Bankruptcy Section
P.O. Box 2952
Sacramento, California 95812

Carlos and Lucia Guedez
9372 Briar Forest Drive
Houston, Texas 77063

City of Houston
1400 Lubbock Street
Houston, Texas 77002

Memorial Hermann Healthcare System
929 Gessner Drive, Suite 2600
Houston, Texas 77024

JP Morgan Chase
P.O. Box 15369
Wilmington, Delaware 19850

Synchrony Bank/Wal Mart
P.O. Box 71746
Philadelphia, Pennsylvania, 19176

Best Buy/CBNA
P.O. Box 6497
Souix Falls, North Dakota 57117

Cirro Energy
P.O. Box 2229
Houston, Texas 77252

Mercantile Adjustment Bureau
165 Lawrence Bell Drive, Suite 100
Williamsville, New York 14221

Creditors With an Interest in Real Property:

Harris County Tax Collector
P.O. Box 4663
Houston, Texas 77210

Carlos and Lucia Guedez
9372 Briar Forest Drive
Houston, Texas 77063

Parties Claiming a Lien on the Subject Property:

Carlos and Lucia Guedez
9372 Briar Forest Drive
Houston, Texas 77063

United States Trustee:

Office of the US Trustee
515 Rusk Avenue, Suite 3516
Houston, Texas 77002